Docket No.: 20052/1200517-US3

(PATENT)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application of: Randolph J. Noelle et al.

Application No.: 09/467,317

Filed: December 20, 1999

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For: USE OF ANTIBODIES THAT

SPECIFICALLY BIND CD40CR (CD40 LIGAND) TO INHIBIT HUMORAL

**IMMUNITY** 

Confirmation No.: N/A

Art Unit: 1644

Examiner: P. Gambel

## SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the document listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the document be made of record therein and appear among the "Document Cited" on any patent to issue therefrom.

This Information Disclosure Statement is being filed before the mailing of a first Office Action after the filing of a request for continued examination (37 CFR 1.97(b)(4)).

A copy of each document on the PTO/SB/08 is attached.

Application No.: 09/467,317 2 Docket No.: 20052/1200517-US3

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed document.

The Commissioner is authorized to charge any deficiency of up to \$300.00 or credit any excess in this fee to Deposit Account No. 04-0100.

Dated: February 17, 2005

Respectfully submitted,

Stephen K. Sullivan

Registration No.: 43,171

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Attorneys/Agents For Applicant







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Information Disclosure Statement (2 pages);

PTO SB/08 with copy of Order for Dismissal (3 pages);

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. Application Number 09/467,317 Filing Date December 20, 1999 TRANSMITTAL First Named Inventor **FORM** Randolph J. Noelle Art Unit 1644 (to be used for all correspondence after initial filing) Examiner Name P. Gambel Total Number of Pages in This Submission Attorney Docket Number 20052/1200517-US3 ENCLOSURES (Check all that apply) Fee Transmittal Form After Allowance Communication Drawing(s) Fee Attached Licensing-related Papers Appeal Communication to Board of Appeals and Interferences Amendment/Reply Petition Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) Petition to Convert to a After Final Proprietary Information Provisional Application Affidavits/declaration(s) Power of Attorney, Revocation Status Letter Change of Correspondence Address Extension of Time Request Terminal Disclaimer Other Enclosure(s) (please Identify below): Express Abandonment Request Request for Refund PTO/SB08 with a copy of Order for Dismissal (3 pages); Certificate of Express Mailing (1 page); and Information Disclosure Statement CD, Number of CD(s) Х Return Postcard Certified Copy of Priority Landscape Table on CD Document(s) Reply to Missing Parts/ Remarks Incomplete Application Reply to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Name DARBY & DARBY P.C. Signature Printed name Stephen K. Sullivan Date February 17, 2005 Reg. No. 43,171

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Substitute for form 1449A/B/PTO		Complete if Known			
	,	•		Application Number	09/467,317
11	NFORMATION	1 DI	SCLOSURE	Filing Date	December 20, 1999
STATEMENT BY APPLICANT		First Named Inventor	Randolph J. Noelle		
				Art Unit	1644
(Use as many sheets as necessary)		Examiner Name	P. Gambel		
Sheet	1	of	1	Attorney Docket Number	20052/1200517-US3

	U.S. PATENT DOCUMENTS				
Examiner Initials*	Cite No. <sup>1</sup>	Document Number  Number-Kind Code <sup>2</sup> ( if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
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	FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document  Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T⁵
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. Applicant's unique citation designation number (optional). See Kinds Codes of USPTO Patent Documents at <a href="https://www.uspto.gov">www.uspto.gov</a> or MPEP 901.04. Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. Applicant is to place a check mark here if English language Translation is attached.

	NON PATENT LITERATURE DOCUMENTS		
Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	CA	Order for Dismissal, Civil Action No. CV03-2676P, So ordered by Judge Marsha Pechman, November 15, 2004, U.S. District Judge, U.S. District Court for the Western District of Washington at Seattle, in the case of The Trustees of Dartmouth College, a New Hampshire corporation; and IDEC PHARMACEUTICALS CORPORATION, a Delaware Corporation, Plaintiff against IMMUNEX CORPORATION, a Washington Corporation, Defendant	

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Examiner	Date
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<sup>&</sup>lt;sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.